

AMENDMENT

In response to the office action dated 01/12/2006, please review the above identified application in view of the statement of common ownership and the accompanying remarks.

STATEMENT OF COMMON OWNERSHIP

Applicants' present application, USSN 09/820,430, and the Daly reference (U.S. Patent Number 6,224,642) were, at the time the invention of USSN 09/820,430 was made, owned by The Lubrizol Corporation.

RESPONSE AND REQUEST FOR RECONSIDERATION

Claims 19, 33-38, 40 and 42 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Daly (US 6,224,642) in view of JP 58117282. Additionally, Claim 41 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Daly in view of JP 58117282 further in view of Jung (US 5,503,645). Additionally, Claims 39 and 43-46 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Daly in view of EP 869 163. It is respectfully submitted that Claims 19 and 33-46 are novel and unobvious over Daly in view of JP 58117282, Daly in view of JP 58117282 further in view of Jung, and Daly in view of EP 869 163. Applicants respectfully traverse this rejection.

Applicants' present application and Daly were, at the time Applicants' present invention was made, owned by The Lubrizol Corporation. Therefore, Daly is disqualified as prior art under 35 U.S.C. 103(c) (See MPEP at 706.02(I)(1) & (2)). In light of the statement of common ownership, which disqualifies Daly as prior art under 35 U.S.C. 103(c); JP 58117282, Jung and EP 869 163 are no longer relevant prior art. Applicants' respectfully submit that the claimed invention is novel and not suggested by or obvious from the cited art and the rejection should be withdrawn.

For the foregoing reasons it is submitted that the present claims are in condition for allowance. The foregoing remarks are believed to be a full and complete response to the outstanding office action. Therefore an early and favorable reconsideration is respectfully requested. If the Examiner believes that only minor issues remain to be resolved, a telephone call to the Undersigned is suggested.

Any required fees or any deficiency or overpayment in fees should be charged or credited to The Lubrizol Corporation Deposit Account No. 12-2275.

Respectfully submitted,
THE LUBRIZOL CORPORATION

A handwritten signature in black ink, appearing to read 'Jason S. Fokens', is written over a horizontal line.

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